



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

March 30, 2017

Diverter
c/o Agent
Address
City, ST Zip

NOTICE OF FAILURE TO FILE SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE AND POTENTIAL ADMINISTRATIVE CIVIL LIABILITY FOR APP

Dear Diverter,

Water right claimants are required to file annual reports of their water diversion and use with the State Water Resources Control Board (State Water Board) using the online Reporting and Management System (Water Code §5101). The report of water diversion and use for 2015 was due no later than July 1, 2016. **This letter is to notify you that the report for the above-referenced water right claim is delinquent, in violation of the Water Code.**

The delinquency, if not cured within 30 days, will subject the claimant to enforcement action, including imposition of administrative civil liability (fine). Those who diverted water in 2015 but who fail to file are subject to a \$1,000 fine, plus \$500 per day for each additional day of noncompliance, beginning 30 days following your receipt of this notice of violation (Water Code §5107 (c) (1)). In addition, failure to report constitutes *prima facie* evidence of non-use. Non-use of an appropriative water right over a multi-year period will lead to forfeiture of the water right (Water Code §1241).

If you believe this notice has been sent in error (because, for instance, you believe the required report has been filed), please contact us immediately to reconcile our records.

The State Water Board has discretion when considering enforcement action, and I will take into consideration corrective actions taken on or before May 8, 2017. If you file the required report prior to that date—and agree to make annual filings on a timely basis going forward—there will be no administrative civil liability. However, if delinquency continues beyond May 8, 2017, you should anticipate becoming liable for the full amount of the fine authorized by the Water Code.

To file your report of water used during 2015, please access the State Water Board's online reporting system at <http://www.waterboards.ca.gov/RMS> and use the following User ID and Password to log onto the system:

User ID: **App**
Password: **ID**

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov



Please note that this notice letter pertains only to the water right claim identified in the heading and not to any other water rights or claims of water right that you may own, including permits, licenses, and other Statements of Water Diversion and Use. If you reported water diversion and use under a different claim than the one shown above, you may have more than one water right claim. You must report water diversion and use separately for each water right claim.

If you need assistance with filing your report, please contact your water attorney or Lauren Barva of my office at (916) 319-8264 or at lauren.barva@waterboards.ca.gov .

Sincerely,

Michael Patrick George
Delta Watermaster